

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: BRENNFLECK, Matthias Michael

SERIAL NO.: 10/780,283

ART UNIT: 3679

FILED: February 17, 2004

EXAMINER: Kennedy J.T.

TITLE: CONNECTION ELEMENT

AMENDMENT "A"

Director of the U.S. Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of July 11, 2005, a response being due by October 11, 2005,
please consider the following remarks:

REMARKS

Upon entry of the present amendments, original Claims 1 - 18 have been canceled and new Claims 19 - 36 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the claim language into a more proper U.S. format and also for the purpose of more clearly distinguishing the present invention from the prior art.

In the Office Action, it was indicated that Claims 1 - 4, 6 - 7 and 9 - 14 were rejected under 35 U.S.C. §102(b) as being anticipated by the O'Farrell patent. Claim 5 was rejected as being obvious over the O'Farrell patent. Claims 15 - 18 were rejected under 35 U.S.C. §103(a) as being

unpatentable over the O'Farrell patent in view of the Kristiansen patent. Additionally, there was an objection to the formality of the Information Disclosure Statement that was filed on July 19, 2004.

As an overview to the present reply, Applicant notes that the Information Disclosure Statement objection must be an error since the Information Disclosure Statement did include the application number for which the Information Disclosure Statement was being submitted and which contained a column that provided blank spaces next to each document to be considered for the Examiner's initials. A copy of this Information Disclosure Statement is attached hereto. Applicant respectfully requests that the Examiner reconsider the objection to this Information Disclosure Statement.

With respect to the claims, Applicant has revised original Claims 1 - 18 in the form of new Claims 19 - 36, respectively. New Claims 19 - 36 express the original limitations in a more proper U.S. format, including proper antecedent bases and proper structural interrelationships throughout. Any indefinite terminology found in the original claim language has been corrected herein. Rather than the confusing use of the terms "several" and the use of numerical references, Applicant has now identified the particular components of the present invention as containing "a first jaw sidewall", a "second jaw sidewall", "a third jaw sidewall" and "a fourth jaw sidewall". The "adjustment element" is now recited as "an adjusting means" in view of the functional recitations originally associated therewith. The new claim language is expressed in proper "means-plus-function" format. Additionally, the "connection element" is now positively recited apart from the preamble. Applicant has revised Claim 19 to particularly recite that the at least one of the second and fourth jaw sidewalls has a lateral leg that projects "from end thereof" into an interior of the connection element so as to

be “separate from” and cooperative with the adjusting means. Applicant believes that such structure serves to distinguish the present invention from the prior art reference.


It is import to note that the O’Farrell patent has a different working principal from that of the present application. In the O’Farrell patent, the lateral leg 11 is not connected with an adjustment means or an adjustment element, but is gripped itself. The O’Farrell patent certainly lacks the separate adjustment element, as best illustrated in Figure 9 of the present application. The lateral leg 11 in the O’Farrell patent does not actually project into the interior of the connection element. This lateral leg 11 always remains more or less on the outside of the connection element so that it can be gripped and turned. It is important to note that “part 16” in the O’Farrell patent is not “an adjusting means” for bracing or detaching the jaw sidewall 6. This item is merely a hinge between two clamping members. It does not have any influence on the holding effect of a panel placed between the jaw sidewalls. On this basis, Applicant respectfully contends that the O’Farrell patent no longer anticipates independent Claim 19. Fundamentally, the function of the O’Farrell patent, along with the results achieved by the O’Farrell patent, are quite different than those achieved by the present invention.

Based upon the foregoing analysis, Applicant contends that independent Claim 19 is now in proper condition for allowance. Additionally, those claims which are dependent upon Claim 19 should also be in condition for allowance. Reconsideration of the rejections and allowance of the

claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

10-7-05
Date

Respectfully submitted,



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